

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

|                                 |   |                                 |
|---------------------------------|---|---------------------------------|
| <b>UNITED STATES OF AMERICA</b> | ) |                                 |
|                                 | ) |                                 |
| <b>V.</b>                       | ) | <b>CASE NO: 2:06-cr-010-MHT</b> |
|                                 | ) |                                 |
| <b>MARNEKIA DESHAY MILNER</b>   | ) |                                 |

**MOTION TO CONTINUE**

**COMES NOW** the Defendant, **MARNEKIA DESHAY MILNER**, by undersigned counsel, Donnie W. Bethel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and moves this Honorable Court for an order continuing this case from the April trial term on the following grounds:

1. Defendant's trial is currently scheduled for April 24, 2006.
2. Defendant has agreed to cooperate with the Government. Defendant has signed a proffer letter and has been debriefed by Government agents. Those Government agents are currently investigating leads based on the information Defendant provided. Two agents are working this case together; they are from two different agencies and work out of two different offices in two different states, which makes it more difficult for them to coordinate their investigation.
3. When the agents complete their additional investigation, Defendant and the United States anticipate entering into a plea agreement, but they believe this process will not be completed prior to the currently scheduled trial date of April 24th. Therefore, the ends of justice will be served by this Court granting a continuance in this case.
4. The United States, by Assistant United States Attorney Kent Brunson, concurs with Defendant's motion.

**WHEREFORE**, Defendant respectfully requests that this Motion be granted.

**DATED** this 30th day of March, 2006.

Respectfully submitted,

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 30, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Kent B. Brunson, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Donnie W. Bethel  
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